

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**No. 16-CV-00694-JB-SMV
No. 14-CR-00423-JB**

RONALD LEWIS CHAVEZ,

Defendant.

ORDER

This matter is before the Court, *sua sponte* under rule 4(b) of the Rules Governing Section 2255 Cases, on Defendant Ronald Lewis Chavez's Motion To Vacate Judgment Under 28 U.S.C. § 2255, which seeks to vacate the enhancement of Defendant's sentence under the career offender provision of the United States Sentencing Guidelines, in light of the *Johnson v. United States*, 135 S. Ct. 2551 (2015). [CV Doc. 1; CR Doc. 54] Defendant states that "[d]ue to time constraints," he was unable "to fully brief the issues presented in this petition" and indicates that he will "ask for leave to supplement this petition at a later time." [CV Doc. 1; CR Doc. 54].

The Court will set a briefing schedule on Defendant's § 2255 motion and direct the United States to file an answer.

IT IS HEREBY ORDERED that the Clerk is directed to forward to the United States of America a copy of Defendant's Motion To Vacate Judgment Under 28 U.S.C. § 2255 and a copy of this Order;

IT IS FURTHER ORDERED that Defendant shall file a brief addressing why he is entitled

to relief on his Motion To Vacate Judgment Under 28 U.S.C. § 2255 by **August 5, 2016**.

IT IS FURTHER ORDERED that the United States shall file an answer to Defendant's § 2255 motion by **September 6, 2016**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
UNITED STATES MAGISTRATE JUDGE